

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

November 26, 1996

UNITED STATES OF AMERICA,	)	
Complainant	)	
	)	8 U.S.C. 1324a Proceeding
vs.	)	
	)	OCAHO Case No. 96A00072
FINE FASHION, INC.,	)	
Respondent	)	

ORDER GRANTING COMPLAINANT'S  
MOTION FOR DEFAULT JUDGMENT

On October 25, 1996, the undersigned issued an Order to Show Cause Why Complainant's Motion For Default Judgment Should Not Be Granted, in which respondent was ordered to show cause, within 15 days of its acknowledged receipt of that order, why complainant's Motion for Default Judgment, filed on September 27, 1996, should not be granted, or, in the alternative, to have filed an answer comporting with the requirements set forth in the procedural regulations, specifically, 28 C.F.R. § 68.9(c).

Respondent's copy of the Order to Show Cause was served via certified mail-return receipt requested. Respondent acknowledged receipt of that Order on October 31, 1996. To date, however, no response or answer has been received. Accordingly, complainant's Motion for Default Judgment is granted.

Respondent is found to have violated IRCA, 8 U.S.C. § 1324a(a)(1)(A), in the manner alleged in Count I of the Complaint, by having hired the individual named therein for employment in the United States after November 6, 1986, knowing that that individual was an alien unauthorized for employment in the United States.

Respondent is also found to have violated IRCA, 8 U.S.C. § 1324a(a)(1)(B), in the manner alleged in Count II, by having failed to ensure that the seven (7) individuals named therein, who were hired by respondent for employment in the United States after November 6, 1986, properly completed section 1, and also that respondent had failed to properly complete section 2 of the Forms I-9 for those individuals.

Respondent is also found to have violated IRCA, 8 U.S.C. § 1324a(a)(1)(B), in the manner alleged in Count III, by having failed to ensure that the three (3) individuals named therein, who were hired by respondent for employment in the United States after November 6, 1986, properly completed section 1 of the Forms I-9 for those individuals.

Respondent is also found to have violated IRCA, 8 U.S.C. § 1324a(a)(1)(B), in the manner alleged in Count IV, by having failed to properly complete section 2 of the Form I-9 for the individual named therein, who was hired by respondent for employment in the United States after November 6, 1986.

Respondent is also found to have violated IRCA, 8 U.S.C. § 1324a(a)(1)(B), in the manner alleged in Count V, by having failed to properly complete section 2 of the Form I-9 for the individual named therein, who was hired by respondent for employment in the United States after November 6, 1986, within three (3) business days of the hire.

Accordingly, respondent is ordered to cease and desist from further violations of IRCA, 8 U.S.C. §§ 1324a(a)(1)(A) and 1324a(a)(1)(B), and is further ordered to pay civil money penalties totaling \$5,460, that penalty representing the sum of \$890 in Count I, \$2,870 in Count II, \$1,020 in Count III, \$360 for Count IV, and \$320 for Count V.

Joseph E. McGuire  
Administrative Law Judge

#### Appeal Information

This Order shall become the final order of the Attorney General unless, within 30 days from the date of this Order, the Chief Administrative Hearing Officer shall have modified or vacated it. Both administrative and judicial review are available to respondent, in accordance with the provisions of 8 U.S.C. § 1324a(e)(7) and (8), and 28 C.F.R. § 68.53.

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of November, 1996, I have served copies of the foregoing Order Granting Complainant's Motion for Default Judgment to the following persons at the addresses shown, in the manner indicated:

Office of Chief Administrative Hearing Officer  
Skyline Tower Building  
5107 Leesburg Pike, Suite 2519  
Falls Church, Virginia 22041  
(original hand delivered)

Dea Carpenter, Esquire  
Associate General Counsel  
Immigration and Naturalization Service  
425 "I" Street, N.W., Room 6100  
Washington, D.C. 20536  
(one copy sent via regular mail)

Patricia Gannon, Esquire  
Immigration and Naturalization Service  
P.O. Box 2669  
New York, New York 10008-2669  
(one copy sent via regular mail)

Fine Fashion, Inc.  
Myong Ok Hyun, President  
580 8th Ave., 20th Floor  
New York, New York 10018  
(one copy sent via regular mail)

Cathleen Lascari  
Legal Technician to  
Joseph E. McGuire  
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